

U.S. Strategic Dilemmas in Uzbekistan and Turkmenistan Briefing at CSIS

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Tad Stahnke: In passing the 1998 International Religious Freedom Act (IRFA), Congress not only recognized the global importance of freedom of thought, conscience, and religion or belief, but also made the promotion of this critical freedom a matter of U.S. law. This action ensured that advancing international religious freedom is an integral part of the U.S. government's foreign policy agenda. IRFA established a number of interrelated mechanisms to pursue this goal. These include: an Office of International Religious Freedom in the Department of State headed by an Ambassador-at-Large for International Religious Freedom; an annual report by the State Department on the conditions of religious freedom in each foreign country and U.S. actions to promote religious freedom; and the establishment of the United States Commission on International Religious Freedom.

Under IRFA, the President is required to single out and explicitly name those countries that are the most egregious violators of religious freedom, and the Act contains a formal mechanism for doing so. Section 402(b)(1) of IRFA specifically directs the President at least annually to designate each country in which the government has engaged in or tolerated "particularly severe violations of religious freedom" as "a country of particular concern" or CPC. Particularly severe violations of religious freedom are defined as violations that are "systematic, ongoing, and egregious." In defining violations of religious freedom, IRFA directly refers to the "internationally recognized right to freedom of religion and religious belief and practice" as laid out in such international instruments as the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Countries of Particular Concern: Commission Recommendations

One of the Commission's chief responsibilities under IRFA is to draw attention to those countries whose governments have engaged in or tolerated systematic and egregious violations of religious freedom and recommend that they be designated as CPCs. In April 2005, the Commission wrote to Secretary of State Condoleezza Rice recommending that she

designate as CPCs the following 11 countries: Burma, Democratic People's Republic of Korea (North Korea), Eritrea, Iran, Pakistan, People's Republic of China, Saudi Arabia, Sudan, Turkmenistan, Uzbekistan, and Vietnam.

Recommendations for New Designations

This year, the Commission has recommended that the governments of Pakistan, Turkmenistan, and Uzbekistan -- that have not previously been designated as CPCs -- be added to the CPC list.

Responding to the CPC Designation

The process of CPC designation as outlined under IRFA and the implementation of meaningful policies in response to such designations should be considered among the most serious actions taken by the U.S. government in its human rights policy. The designation of CPCs highlights those countries where the most egregious violations occur and where the exercise of a person's right to freedom of religion or belief is systematically repressed. The designation also guides important decisions in U.S. relations with these countries.

IRFA makes explicit that the policy of the United States must be to take active steps with regard to those countries deemed to be particularly severe violators of religious freedom. CPC designation under the statute is solely based on conditions in the country, but what should be done in response to CPC designation is the next area defined in the law.

IRFA provides the Secretary of State with a range of specific options to address serious violations of religious freedom. It does not automatically entail sanctions, but requires that the Secretary of State enter direct consultations with a country to find ways to improve the situation. To avoid more punitive actions, one policy response under IRFA is for the CPC country to enter into a binding agreement with the United States that spells out specific future actions will be taken to end the violations that gave rise to the designation.

When used properly, the CPC designation:

- sends the clear signal that U.S. interests include concern for human rights;
- starts a dialogue where specific benchmarks on progress are agreed upon in order to avoid economic sanctions;
- allows the Secretary of State in an incremental fashion to employ or use the threat of punitive actions to address egregious abuses of religious freedom; and
- allows the Secretary of State to waive any specific actions if progress is being made toward addressing serious violations of freedom of religion or belief.

I think that most of us here today would agree that the governments of Turkmenistan and Uzbekistan violate international human rights standards, including their commitments to respect freedom of religion or belief. Most of us here probably also agree that the Uzbek and Turkmen governments will not be designated as CPCs merely because they meet the IRFA statutory requirements.

The Commission has invited our expert panel here today to assist us in defining which U.S. strategic interests might be in competition with U.S. human rights and religious freedom concerns. I also hope we will be able to discuss what policies the U.S. can put in place in order to encourage genuine human rights improvements on the ground, while advancing or at least not detracting from those other interests.

I now would like to turn to our first speaker, Martha Brill Olcott, who is a Senior Associate at the Carnegie Endowment for International Peace. She will discuss U.S. policy towards Uzbekistan and Turkmenistan and the human rights situation in those countries.